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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,325	07/11/2003	Yu-Chuan Lin	9466-US-PA-R	1324

31561 7590 04/21/2005

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER	
SHIMIZU, MATSUICHIRO	
ART UNIT	PAPER NUMBER
2635	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/604,325	LIN ET AL.	
	Examiner	Art Unit	
	Matsuichiro Shimizu	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2,7-9,14-16 and 21-27* is/are rejected.

7)☒ Claim(s) *3-6,10-13 and 17-20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-2, 7-9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baskin et al. (5,307,055) in view of Miyashita (5,782,548).

Regarding claim 1, Baskin teaches a non-volatile memory device with wireline control function, comprising:

a main part, comprising:

a connection port (col. 6, lines 37-44, bi-directional interface 50 associated with RS232 port), electrically coupled to a host (Fig. 1, col. 4,, lines 26-31, computer associated with generator 10), wherein the host provides

a data (col. 4, lines 53-61, data associated image on the monitor 18) and a

host power (col. 6, lines 37-44, RS232 port suggests power supply)

to the non-volatile memory device (col. 4, lines 53-61, data associated image in the auxiliary display memory 15) with wireline control function via an external bus connected to the connection port;

a memory system (Fig. 1, memory 15), caching a data received by the connection port (col. 6, lines 37-44, bi-directional interface 50 associated with RS232 port), and

further writing the cached data to a non-volatile memory device; and

a remote control signal reception module (Fig. 1, microprocessor suggests reception module via input receiving line 51); and

a remote control part comprising:

a function-key module (col. 5, lines 50-68, command via keypad output) producing a key signal while being pressed;

a controller (col. 5, lines 50-68, control command via keypad output), receiving the key signal to produce a corresponding control signal (col. 5, lines 50-68, control signal along line 31); and

a remote control signal emission module, transmitting a corresponding remote control signal (Fig. 2, key command via signal line 31) according to the control signal;

wherein, after receiving the remote control signal, the remote control signal reception module produces a corresponding host control signal, and the host control signal is subsequently transmitted (Fig. 1, control signal is transmitted to host via line 21) back to the host via the connection port (Fig. 1, col. 6, lines 37-44, RS232 port 50) to

control the host operations (Fig. 1, host including generator 10 and monitor 12).

But Baskin does not teach wireless control function; a first power storage unit, storing power for the remote control part operations; and emitting a corresponding remote control signal according to the control signal.

However, Miyashita teaches, in the art of remote presentation system, wireless control function (Fig. 2A-2B, wireless or optical transmission of control function via key commands), a first power storage unit (col. 12, lines 49-50, replaceable battery 410), storing power for the remote control part operations; and emitting a corresponding remote control signal according to the control signal (Fig. 2A, emitting via LED 36) for the purpose of providing larger area communication. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include wireless control function; a first power storage unit, storing power for the remote control part operations; and emitting a corresponding remote control signal according to the control signal in the device of Baskin because Baskin suggests wireline control function , and transmitting a corresponding remote control signal according to the control signal and Miyashita teaches wireless control function; a first power storage unit, storing power for the remote control part operations; and emitting a corresponding remote control signal according to the control signal for the purpose of providing larger area communication.

Regarding claim 2, Baskin teaches the non-volatile memory device with wireless control function of claim 1, wherein the connection port (Fig. 1, col. 6, lines 37-44, RS232 port 50) comprising an interface connection device that is suitable for connecting to the RS232 interface.

Regarding claim 7, Baskin in view of Miyashita teaches the non-volatile memory device with wireless control function of claim 1, wherein the first power storage unit (Miyashita-col. 12, lines 49-50, replaceable battery 410) is electrically coupled to the connection port so as to receive the host power (Baskin-col. 6, lines 37-44, RS232 port suggests power supply coupling).

Regarding claim 8, Miyashita teaches the first power storage unit comprises a non-rechargeable battery (col. 12, lines 49-50, replaceable battery 410).

Regarding claim 9, Miyashita continues to teach, as claimed in claim 2, the first power storage unit comprises a non-rechargeable battery (col. 12, lines 49-50, replaceable battery 410).

Regarding claim 14, Miyashita teaches, as claimed in claim 7, the first power storage unit comprises a non-rechargeable battery (col. 12, lines 49-50, replaceable battery 410).

Claims 15-16 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baskin in view of Miyashita as applied to claim 1, 2, 7 above, and further in view of Moore et al. (5,584,554).

Regarding claims 15-16 and 21-22, Baskin in view of Miyashita teaches the non-volatile memory device with wireless control function of claim 1, wherein the main part receive power from the host (Baskin-col. 6, lines 37-44, RS232 port suggests power supply coupling). But Baskin in view of Miyashita is silent on the main part further comprises a second power storage unit, the second power storage unit is used to store a power and provide the power to the main part when the host power is lost.

However, Moore teaches, in the art of power supply system, a second power storage unit, the second power storage unit is used to store a power and provide the

power to the main part (col. 3, lines 47-65, upon detecting power failure, initiation of start-up of a backup power supply takes place wherein backup power is a rechargeable battery (col. 9, lines 6-7)) when the host power is lost for the purpose of providing backup power supply. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include a second power storage unit, the second power storage unit is used to store a power and provide the power to the main part in the device of Baskin in view of Miyashita because Baskin in view of Miyashita suggests the main part receive power from the host and Moore teaches a second power storage unit, the second power storage unit is used to store a power and provide the power to the main part when the host power is lost for the purpose of providing backup power supply.

Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baskin in view of Miyashita as applied to claim 22 above, and further in view of Moore et al. (5,584,554).

Regarding claim 23, Miyashita continues to teach, as claimed in claim 22, the second power storage unit comprises a non-rechargeable battery (col. 12, lines 49-50, replaceable battery 410).

Regarding claim 24, Moore continues to teach, as claimed in claim 22, the second power storage unit comprises a rechargeable battery (col. 3, lines 47-65, upon detecting power failure, initiation of start-up of a backup power supply takes place wherein backup power is a rechargeable battery (col. 9, lines 6-7)).

Regarding claim 25, Baskin in view of Moore continues to teach, as claimed in claim 22, the second power storage unit (Moor-col. 3, lines 47-65, upon detecting power failure, initiation of start-up of a backup power supply takes place wherein

backup power is a rechargeable battery (col. 9, lines 6-7)) is electrically coupled to the host power (Baskin-col. 6, lines 37-44, RS232 port suggests coupling associated with power supply).

Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baskin in view of Miyashita as applied to claim 25 above, and further in view of Moore et al. (5,584,554).

Regarding claim 26, Miyashita continues to teach, as claimed in claim 22, the second power storage unit comprises a non-rechargeable battery (col. 12, lines 49-50, replaceable battery 410).

Regarding claim 27, Moore continues to teach, as claimed in claim 22, the second power storage unit comprises a rechargeable battery (col. 3, lines 47-65, upon detecting power failure, initiation of start-up of a backup power supply takes place wherein backup power is a rechargeable battery (col. 9, lines 6-7)).

Allowable Subject Matter

Claims 3-6, 10-13 and 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 3, the prior arts fail to teach or fairly suggest the fist power storage unit further comprises a voltage feedback module, the voltage feedback module is used to detect whether the host power exists or not, so that the first power storage unit can provide the power to operate the remote control part when the host power is lost.

Claims 10 and 17 are directly/ or indirectly dependent on claim 3, therefore, the prior arts fail to teach or fairly suggest claims 10 and 17 for same reason that the prior arts fail to teach or fairly suggest claim 3.

Regarding claim 4, the prior arts fail to teach or fairly suggest the remote control part further comprises a charging module, the charging module is used to receive the host power and charge the first power storage unit with the host power.

Claims 5, 11-12 and 18-19 are directly/ or indirectly dependent on claim 4, therefore, the prior arts fail to teach or fairly suggest claims 5,11-12 and 18-19 for same reason that the prior arts fail to teach or fairly suggest claim 4.

Regarding claim 6, the prior arts fail to teach or fairly suggest a voltage regulator, wherein the voltage regulator is used to adjust the host power to a voltage that is suitable for the non-volatile memory device with wireless control function.

Claims 13 and 20 are directly/ or indirectly dependent on claim 6, therefore, the prior arts fail to teach or fairly suggest claims 13 and 20 for same reason that the prior arts fail to teach or fairly suggest claim 6.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matsuichiro Shimizu whose telephone number is 571-272-3066. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-8576).

Matuichiro Shimizu
April 18, 2005

MICHAEL HORABIK
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